

May 27 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0067

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DANIEL FITZGERALD BROOKS,

Defendant and Appellant.

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME


The Appellee, State of Montana, respectfully requests a 29-day extension of time until June 25, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on May 27, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion and does not object.

Respectfully submitted this 27th day of May, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: 
TAMMY K PLUBELL
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be served by U.S. Mail upon:

Ms. Hillary Prugh Carls
Angel, Coil, & Bartlett
125 West Mendenhall, Suite 201
Bozeman, MT 59715

Mr. Christopher J. Daly
Office of the Public Defender
P.O. Box 4102
Missoula, MT 59806-4102

Mr. Shawn Patrick Thomas
Ms. Betty Wing
Deputy Missoula County Attorneys
200 West Broadway Street
Missoula, MT 59072

DATED: May 27, 2010 